

Forty-eighth Legislature
Second Regular Session

COMMITTEE ON APPROPRIATIONS

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.C.R. 2041

(Reference to printed concurrent resolution)

1 Page 1, line 6, after "36." strike remainder of line insert "Discrimination or
2 preferential treatment prohibited; definition"

3 Line 7, after "36." insert "A."

4 Between lines 11 and 12, insert:

5 "B. THIS SECTION SHALL NOT BE INTERPRETED TO:

6 1. PROHIBIT BONA FIDE QUALIFICATIONS THAT ARE BASED ON SEX AND THAT
7 ARE REASONABLY NECESSARY TO THE NORMAL OPERATION OF PUBLIC EMPLOYMENT, PUBLIC
8 EDUCATION OR PUBLIC CONTRACTING.

9 2. PROHIBIT ACTION THAT IS REQUIRED TO BE TAKEN TO ESTABLISH OR
10 MAINTAIN ELIGIBILITY FOR ANY FEDERAL PROGRAM IF INELIGIBILITY WOULD RESULT IN
11 A LOSS OF FEDERAL MONIES TO THIS STATE.

12 3. INVALIDATE ANY COURT ORDER OR CONSENT DECREE THAT IS IN FORCE ON
13 THE EFFECTIVE DATE OF THIS SECTION.

14 C. THE REMEDIES AVAILABLE FOR VIOLATIONS OF THIS SECTION SHALL BE THE
15 SAME, REGARDLESS OF THE INJURED PARTY'S RACE, SEX, COLOR, ETHNICITY OR
16 NATIONAL ORIGIN, AS ARE OTHERWISE AVAILABLE FOR VIOLATIONS OF THEN EXISTING
17 ARIZONA ANTIDISCRIMINATION LAW.

18 D. THIS SECTION IS SELF-EXECUTING. IF ANY PART OR PARTS OF THIS
19 SECTION ARE FOUND TO BE IN CONFLICT WITH FEDERAL LAW OR THE UNITED STATES
20 CONSTITUTION, THIS SECTION SHALL BE IMPLEMENTED TO THE MAXIMUM EXTENT THAT
21 FEDERAL LAW AND THE UNITED STATES CONSTITUTION PERMIT. ANY PROVISION OF THIS
22 SECTION THAT IS HELD TO BE INVALID IS SEVERABLE FROM THE REMAINING PROVISIONS
23 OF THIS SECTION.

1 E. FOR THE PURPOSES OF THIS SECTION, "STATE" INCLUDES THIS STATE, ANY
2 CITY, TOWN OR COUNTY OF THIS STATE, UNIVERSITIES UNDER THE JURISDICTION OF
3 THE ARIZONA BOARD OF REGENTS, A COMMUNITY COLLEGE DISTRICT, A SCHOOL
4 DISTRICT, ANY OTHER POLITICAL SUBDIVISION OF THIS STATE OR ANY OTHER
5 GOVERNMENTAL ENTITY THAT IS FORMED UNDER THE LAWS OF THIS STATE."

6 Amend title to conform

and, as so amended, it do pass

RUSSELL K. PEARCE
Chairman

hcr2041-approp
3/12/08
H:jmb

hcr2041
02/25/2008
11:26 AM
C: MO